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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

MATTHEW R. HYRE ET AL : Art Unit: 1731
Serial No: 10/005,682 : Examiner: Carlos N. Lopez
Filed: December 5, 2001 : Docket No: 5356-05
For: GLASS CONTAINER FORMING MACHINE

Commissioner for Patents
Mail Stop Appeal Brief - Patents
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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
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Jean L. Sanfructo

Sir:

BRIEF ON APPEAL (Supplemental to Second Sending)

Three copies of this brief are submitted.

This is in response to the Notification of Non-Compliant Appeal Brief (37 CFR 41.37) dated August 9, 2005.

Applicant has reviewed his file and has not identified any Amendment filed post Final Office Action. Applicant, accordingly, requests that the Office forward to applicant a copy of the Amendment referred to in the letter dated August 9, 2005.

Attached hereto is a new Brief Appendix in which applicant has included numerical references to the claimed subject matter.

Applicant would like to point out that the cited material in paragraph 4 of the letter does not have applicability to claim one.

Claim 1 does not have "means for" claims as defined by Section 112. Claim 1 defines "first displacement means", and "second displacement means" and additionally spells out the

function performed by that recited means. These clauses clearly define specific structure and are not dependent on Section 112 to define such structure.

Respectfully submitted,

By 

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APPENDIX

CLAIMS*:

1. A blow head mechanism (10) for blowing a parison in a blow mold of a blow station of an I.S. machine and cooling the blown parison so that a bottle will be formed which can be removed from the blow station comprising

a blow head assembly (18),

support means (16) for supporting said blow head assembly,

first displacement means (20,22) for displacing said support means to displace said blow head assembly between a remote up position and an advanced down position,

said blow head assembly including a blow tube (36) selectively displaceable between an up position and a down position,

second displacement means (92,106,104) for displacing said blow tube from the up position down to the down position and then back up to the up position at least one time during the time the parison is blown and cooled,

said blow tube (36) being open at the bottom,

an air deflector (116) having an annular, concave surface terminating at the top with a vertically extending post for deflecting air traveling axially down the blow tube uniformly radially outwardly and

a supporting frame (112) for supporting said air deflector proximate the open bottom of said blow tube.

2. A blow head mechanism for blowing a parison in a blow mold of a blow station of an I.S. machine and cooling the blown parison so that a bottle will be formed which can be removed from the

blow station according to claim 1, wherein said supporting frame supports said vertically extending post coaxial with the axis of the blow tube.

3. A blow head mechanism for blowing a parison in a blow mold of a blow station of an I.S. machine and cooling the blown parison so that a bottle will be formed which can be removed from the blow station according to claim 2, wherein the open bottom of said blow tube has an annular recess and said supporting frame includes an annular flange to be press fit into the annular recess and a plurality of struts connecting the top of the vertically extending post to said annular flange.

4. A blow head mechanism for cooling a formed bottle comprising
a blow head assembly,
support means for supporting said blow head assembly,
first displacement means for displacing said support means
to displace said blow head assembly between a remote up position
and an advanced down position,

said blow head assembly including a blow tube selectively
displaceable between an up position and a down position,

second displacement means for displacing said blow tube from
the up position down to the down position and then back up to the
up position at least one time during the time the bottle is
cooled,

said cooling tube being open at the bottom,

an air deflector having an annular, concave surface
terminating at the top with a vertically extending post for
deflecting air travelling axially down the blow tube uniformly
radially outwardly and

a supporting frame for supporting said air deflector proximate the open bottom of said blow tube.

* index numbers have been added to claim 1